



Order Filed on June 9, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**Pincus Law Group, PLLC**

jmonari@pincuslaw.com

John Monari, Esquire

425 RXR Plaza

Uniondale, NY 11556

(516)-699-8902 ext. 2217

ATTORNEYS FOR NewRez LLC d/b/a Shellpoint  
Mortgage Servicing as servicer for US Bank Trust  
National Association, Not In Its Individual Capacity  
But Solely As Owner Trustee For VRMTG Asset Trust

In Re:

Imo U. Etuk dba mDoc Holdings, LLC

DEBTOR

Case No.: 18-32212

Chapter: 13

Hearing Date: 01/20/2023

Judge: ABA

Recommended Local Form


☒ Followed

☐ Modified

**ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: June 9, 2023

  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

Applicant: NewRez LLC d/b/a Shellpoint Mortgage Servicing as servicer for US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust

Applicant's Counsel: John Monari/Pincus Law Group, PLLC

Debtor's Counsel: Lee Martin Pearlman

Property Involved ("Collateral"): 808 B Harwood Ct., #808B, Mount Laurel, NJ 08054

Relief sought: ☒ Motion for relief from the automatic stay  
☐ Motion to dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 8 months, from 10/01/2022 to 05/01/2023 less suspense in the amount of \$427.46

☒ The Debtor is overdue for 2 payments at \$1368.75 per month, 3 payments at \$1397.09 per month and 3 payments at \$1398.67 per month.

☐ The Debtor is assessed for \_\_\_\_\_ late charges at \$ \_\_\_\_\_ per month.

☐ Applicant acknowledges receipt of funds in the amount of \$ \_\_\_\_\_ received after the motion was filed.

Total Arrearages Due \$10,697.32

2. Debtor must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$ \_\_\_\_\_. Payment shall be made no later than \_\_\_\_\_.

☒ Beginning on 06/01/2023, regular monthly mortgage payments shall continue to be made in the amount of \$1398.67.

☒ Beginning on 06/01/2023, additional monthly cure payments shall be made in the amount of \$1782.88 for 5 months and \$1782.82 for 1 month.

☐ The amount of \$\_\_\_\_\_ shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is modified to be \$\_\_\_\_\_ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ Regular monthly payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing  
P.O. Box 10826  
\_\_\_\_\_  
Greenville, SC 29603

☒ Monthly cure payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing  
P.O. Box 10826  
\_\_\_\_\_  
Greenville, SC 29603  
\_\_\_\_\_

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys fees of \$550.00, and costs of \$ 188.00.

The fees and costs are payable:

☐ through the Chapter 13 plan.

☐ to the Secured Creditor within \_\_\_\_\_days.

☐ Attorneys' fees are not awarded.